

1 the presiding officer mailed to the parties on the 27th day of
2 January, 1976, and more than twenty days having elapsed from said
3 service; and

4 The Board having received no exceptions to said Proposed Decision
5 and the Board being fully advised in the premises; now therefore,

6 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that said Proposed
7 Decision dated the 27th day of January, 1976, and incorporated by this
8 reference herein and attached hereto as Exhibit A, is adopted and
9 hereby entered as the Board's Final Findings of Fact, Conclusions of
10 Law and Order herein.

11 DONE at Lacey, Washington, this 26th day of February, 1976.

12 POLLUTION CONTROL HEARINGS BOARD

13 Chris Smith
14 CHRIS SMITH, Chairman

15 W. A. Gissberg
16 W. A. GISSBERG, Member

17 Walt Woodward
18 WALT WOODWARD, Member

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26 FINAL FINDINGS OF FACT,
27 CONCLUSIONS OF LAW AND ORDER

BEFORE THE
POLLUTION CONTROL HEARINGS BOARD
STATE OF WASHINGTON

IN THE MATTER OF)
SANDVIG LUMBER COMPANY, INC.,)
Appellant,)
v)
PUGET SOUND AIR POLLUTION)
CONTROL AGENCY,)
Respondent.)

PCHB No. 909
PROPOSED DECISION

This matter, the appeal of a \$250 civil penalty for an alleged particulate handling violation of respondent's Regulation I, Section 9 15(a), came before the Pollution Control Hearings Board (Walt Woodward, Member and William A. Harrison, Hearing Examiner) at a hearing in the Seattle facility of the State Board of Industrial Insurance Appeals on January 7, 1976

Although hearing was set to commence at 10.30 a.m., appellant did not appear at that hour, nor for a period of one-half hour thereafter nor had appellant previously obtained a continuance or postponement

EXHIBIT A

1 of hearing. Respondent appeared promptly at 10.30 a.m. through its
2 attorney, Keith D McGoffin. Sherri Darkow, court reporter, recorded
3 a motion made by respondent at 11.00 a m. that this appeal be dismissed.
4 No evidence was presented on the merits.

5 ORDER

6 Pursuant to WAC 371-08-165(3) this appeal is dismissed Any
7 exceptions to this order shall be in writing and filed with the
8 Hearings Board and respondent within twenty days from the date of
9 receipt of this proposed decision.

10 DONE at Lacey, Washington, this 27th day of January, 1976.

11 POLLUTION CONTROL HEARINGS Board

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13 WALT WOODWARD, Member

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15 WILLIAM A. HARRISON, Hearing Examiner
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CERTIFICATION OF MAILING

I, Dolories Osland, certify that I deposited in the United States mail, copies of the foregoing document on the 27th day of January, 1976, to each of the following-named parties, at the last known post office addresses, with the proper postage affixed to the respective envelopes:

Mr. Jerome L. Sandvig, President
Sandvig Lumber Company
9056 - 13th N.W.
Seattle, Washington 98117

Mr. Keith D. McGoffin
Burkey, Marsico, Roval, McGoffin,
Turner and Mason
P. O. Box 5217
Tacoma, Washington 98405

Puget Sound Air Pollution
Control Agency
410 West Harrison Street
Seattle, Washington 98119

Dolories Osland
DOLORIES OSLAND, Clerk of the
POLLUTION CONTROL HEARINGS BOARD